UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,522	11/30/2001	Eugene Lapidous	005383.P003	1398

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EXAMINER
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ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 November 2001</u>.

2a)☐ This action is **FINAL.**　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-73</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) <u>1-15,45-53 and 71</u> is/are allowed.

6)☒ Claim(s) <u>16-20,22-34,36,37,43,54-61,63-66,72 and 73</u> is/are rejected.

7)☒ Claim(s) <u>21,35,38-42,44,62 and 67-70</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2 and 3</u>.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is in response to the patent application number 10/006,522

filed 11/30/2001.

Information Disclosure Statement

2.   The information disclosure statements with references submitted on 3/21/02 and

5/23/02 are considered and entered into the file.

Status of the claims

3.   The pending claims 1 through 73 are examined herein as follows.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   <u>Claims 16, 22-25, 27-29, 32-34, 36, 54, 58-61, 63, 65, 72 and 73 are rejected</u>

<u>under 35 U.S.C. 102(e) as being anticipated by Chatani et al (US Pub No</u>

<u>2003/0076344).</u>

The present invention is directed to enabling user interaction with content

displayed on the computer screen. Likewise, one of the many objects of Chatani is to

provide a guidance diagram including selectable options (interface elements) 4a-4d

(Fig. 3) and textual descriptions 5a-5d (supplementary content) (Fig. 3) as an overlay

associated with a hyperlink (selectable region)(see paragraph [0009]).

With regard to claims 16, 54 and 72:

As illustrated in Fig. 3, Chatani discloses a method for controlling display of

guidance diagram including supplemental content 5a-5d on a computer screen.

Again as illustrated in Fig. 3, when the pointer is positioning over the banner 2

(predefined control region) the guidance diagram including supplemental content 5a-5d

is visible on the computer screen (paragraphs [0022], [0023], [0033], Fig. 3).

Chatani further discloses that when the cursor is positioned (cursor event) over

the banner 2 (predefined control region), the guidance diagram including selectable

options (interface elements) 4a-4d (Fig. 3) and textual descriptions 5a-5d

supplementary content) (Fig. 3) are also displayed (paragraphs [0022], [0023], Fig. 3).

Once again, as illustrated in Fig.3, when the cursor positioned over banner 2,

the defined control region (or interface region), the guidance diagram including

selectable options (interface elements) 4a-4d (Fig. 3) and textual descriptions 5a-5d

supplementary content) (Fig. 3) are also displayed (paragraphs [0022], [0023], Fig. 3).

Furthermore, Chatani also discloses that as the pointer moves away (positioned

outside) from the banner (predefined control region), the supplemental content 5a-5d

will disappear (cancel) from the screen (paragraph [0022]).

With regard to claim 22:

Chatani discloses that selection options, icons 4a-4d (interface element) are only

displayed when the cursor is detected or positioned over the ad banner 2 (control

region), otherwise if cursor is detected outside of any visible interface element

associated with a tool tip, Chatani will not display the selection options (interface

elements) (paragraph [0022]).

With regard to claims 23 and 58:

Chatani further discloses that as long as the selection options (interface

elements) 4a-4d are displayed textual description or supplemental content will also be

displayed as well (paragraph [0022], [0023], Fig. 3).

With regard to claim 24:

Chatani further discloses canceling the display of the interface elements 4a-4d

upon detecting (i.e., via pointer position detecting function 24) that the cursor is

positioned outside of the ad banner 2 (control region) [0022], [0023], [0033], Fig. 3).

With regard to claim 25:

As illustrated in Fig. 3, any one of the supplemental content (e.g. *Go to BBC*

Company site, Send a Message, Get some Information about WW soft, or Download)

can be activated. The activation of one of the icons will close the previously opened link

or site and replace/cover with a newly selected supplementary content (paragraphs

[0022-0023], [0033] and Fig. 3).

With regard to claims 27, 28, 59, and 60:

Chatani further discloses that prior to overlaying interface elements 4a-4d

including textual description 5a-5d over the control region or banner 2, each respective

hyper links or textual description of each options must be determined ahead and satisfy

at least one requirement, such as, for example, banner ad (paragraphs [0025], [0033] and [0042]).

With regard to claim 29:

Chatani further discloses detecting that the cursor is positioned over the interface element while the supplemental content is visible (paragraphs [0022], [0033] and [0044]).

Chatani also discloses a button detecting function 27 that detects which button (associated with icons 4a-4d) user selects (interface element) while the pointer 3 is overlaid on the icons (paragraphs [0041], [0045] and [0046]).

Chatani also discloses when one of the icons/links 4a-4d is selected another content with supplemental information will be displayed such as another web page (BBB site page) (altering the display) that is associated with the selected option will be displayed (paragraphs [0041]-[0042]).

With regard to claim 32:

Chatani further discloses pausing the cursor over the interface element over a predefined time interval (see claims 9 and 10 of Chatani's).

With regard to claim 33:

Chatani further discloses button-detecting function 27 that detects which button (i.e., button associated with the displayed options 4a-4d) is depressed (released) by the user (paragraph [0041] and [0044-0045]).

With regard to claims 34 and 61:

Chatani further discloses the selection options (interface element) each include a respective links associated with supplemental content (5a-5d) (see Fig. 3, paragraph [0033]).

With regard to claims 36, 63 and 73:

As illustrated in Fig. 3, Chatani discloses a method for controlling display of guidance diagram including interface element 4a-4d and supplemental content 5a-5d on a computer screen.

Chatani further discloses detecting an occurrence of at least one event related to a cursor motion (via judging function 25) while the supplemental content is visible on the computer screen (paragraphs [0022-0023], [0033] and [0040-0041, [0044]).

Chatani further discloses identifying a position of the cursor (via pointer position detecting function 27) at the time the occurrence was detected (paragraphs [0022-0023], [0033], [0040-0041, [0044]).

Chatani further discloses defining an ad banner 2 (Fig. 3) (control region) covering the identified position of the cursor the control region having at least one border segment located at a predefined distance (see cursor 3 in Fig. 3) from the identified position of the cursor (paragraph [0022] and [0033]).

Furthermore, Chatani also discloses that as the pointer moves away (positioned outside) from the banner (predefined control region), the supplemental content 5a-5d will disappear (cancel) from the screen (paragraph [0022]).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 18-20, 43, 56, 57, 66 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Chatani et al (US Pub No 2003/0076344) in view of Graham (US Pat

No 6,542,164).

Chatani discloses position-detecting function 24 that detects the position of the

pointer 3 on the web page 1 (Chatani, paragraph [0040]). Furthermore, while Chatani

discloses that there is a pre-determined duration of time during which the pointer must

be positioned on said hyperlink before the guidance diagram is generated (see claim 9

of Chatani). But Chatani does not disclose expressly that "detecting the occurrence of

at least one event related to the cursor motion includes detecting that a change in a

cursor position has been below a predefined threshold over a predetermined time

interval."(Claims 18, 56). Chatani also does not disclose expressly "detecting the

occurrence of at least one event related to the cursor motion includes detecting the

absence of the cursor motion over a predetermined time interval." (claims 19, 43, 57

and 66). Chatani also fails to disclose that "the predetermined time interval is larger than

0.05 second and the predefined threshold is less than fifty pixels." (claim 20).

With regard to claims 18 and 56, Graham discloses time and velocity metrics

that are used to control when information about a graphical object to which a cursor

points is displayed on a video display (Abstract). Graham further discloses When the

timer expires (step 50), a determination is made whether the mouse cursor 30 is still

pointing at the same control on the tool bar 34 (step 51 in FIG. 4) and whether the

measured velocity metric (a change in cursor value) has remained below an empirically

derived threshold value during the time period (step 52) (column 7, lines 39-57, Fig. 4).

With regard to claims 19, 43, 57 and 66, Graham further discloses a

determination is made whether the mouse cursor 30 is still pointing at the same control

(stay at one control spot, absence of the cursor motion) over a predetermined time

interval (column 7, lines 39-47, Fig. 4).

With regard to claim 20, Graham also discloses that set time trigger point (the

predetermined time interval) to 0.7 seconds (larger than 0.05 seconds) (see column 6,

lines 52-60, Fig. 3A). Graham also discloses the magnitude of the velocity of the

mouse cursor 30 may be determined by comparing the (X, Y) coordinates for the most

recently received mouse message with the coordinates from the last previous mouse

message (column 7, lines 1-22, Fig. 3B). For example, a cursor position indicating a

tool tip is predefined 2 pixels to the left of the top left corner of the button and is 15

pixels (less than fifty pixels) below the hot spot of the mouse 14 (column 6, lines).

Chatani and Graham are analogous art because they are from the same field of

endeavor, that is providing additional information for a targeted interface object.

At the time of the invention, it would have been obvious to a person of ordinary skill in

the art to combine the determined velocity metric 52 (a change in cursor value) with

position detection function 24 of Chatani.

The suggestion/motivation for doing so would have been to determine whether the user likely intends to point at the tool to receive a additional information within a tool tip or whether the user, instead, is merely passing over the interface element or tool while moving to another destination (column 3, lines 47-51).

Therefore, it would have been obvious to combine Graham with Chatani to obtain the invention as specified in claims 18-20, 43, 56-57, 66.

6.   Claims 17, 26, 30, 31, 37, 55, and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chatani et al (US Pub No 2003/0076344) in view of Gorbet et al (US Pat No 6,542,163).

Chatani discloses displaying the textual description 5a-5d (or supplemental content) (Fig. 3) within a web page. Chatani does not, however, disclose "the supplemental content is displayed in a separate window" (claims 17, 37, 55 and 64); Chatani also does not disclose "canceling the display of the supplemental content includes closing a window containing the supplemental content" (claim 26); Chatani also fails to disclose "altering the display comprises altering the size of a window containing the supplemental content" (claim 30); Chatani further fails to disclose "altering the display comprises closing a first window containing the supplemental content, and displaying the supplemental content in a second window" (claim 31).

Gorbet, on the other hand, discloses a method and system for providing relevant tips to a user of an application program.

As per claims 17, 37, 55 and 64, Gorbet further discloses displaying additional help information (supplemental content) in a separate window along with the continued display of the tip balloon (column 8, lines 53-65, column 9, lines 19-35).

As per claim 26, Gorbet also discloses that when an "OK" button 92 is selected, the tip balloon 80 (a type of window (column 10, line 45) is closed without the user having to choose any of the other options (action buttons and/or check boxes) listed in the window (column 9, lines 15-18).

As per claim 30, Gorbet also discloses manipulating the action buttons such as minimize or maximize button of the help window the size of the help window will be altered (column 9, lines 1-18, column 10, lines 41-56).

As per claim 31, Gorbet further discloses toggling the current display of the tip balloon (a type of window) with another display of a separate default help window (column 8, lines 53-65).

Chatani and Gorbet are analogous art because they are from the same field of endeavor, that is providing additional information or help for a targeted interface object.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the separate window as specified in Gorbet with the web page display of Chatani. In this way, the user may learn details about the identified tip condition from the additional help information (supplemental content) and still retain access to the action buttons for selecting different types of help information (column 9, lines 24-35).

Therefore, it would have been obvious to combine Gorbet with Chatani to obtain the invention as specified in claims 17, 26, 30, 31, 37, 55 and 64.

Allowable Subject Matter

7.   Claims 1-15, 45-53, and 71 are allowed.

The following is an examiner's statement of reasons for allowance:

Chatani discloses that as the pointer moves away (positioned outside) from the banner (predefined first control region), the supplemental content 5a-5d will disappear (cancel) from the screen (paragraph [0022]). But, Chatani fails to disclose "if the cursor is positioned inside the second region, continuing the display of the supplemental content upon detecting that the cursor is positioned outside of the first region." Thus, Chatani does not disclose the invention as specified in claims 1-15, 45-53, and 71.

8.   Claims 21, 35, 38-42, 44, 62 and 67-70 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

With regard to claim 21:

Chatani discloses that as the pointer moves away (positioned outside) from the banner (predefined first control region), the supplemental content 5a-5d will disappear (cancel) from the screen (paragraph [0022]). Chatani does not, however, disclose "refraining from displaying the interface element until the cursor is detected outside of an area where the supplemental content is displayed."

With regard to claims 38 and 67:

Chatani fails to discloses the control region identifier is further to define a second control region for second supplemental content visible on the computer screen, the second control region covering a second position of the cursor and having at least one border segment that is different from a corresponding border segment of the control region associated with the prior supplemental content.

Since claims 39-42 depend on claim 38 and claims 68-70 depend on claim 67, Chatani also fails to disclose the invention specified by these claims.

With regard to claim 44:

While Chatani discloses disappearing the guidance diagram including supplemental content 5a-5d from the screen as the pointer moves away from the hyperlink (control region), (paragraph [0022]), but Chatani does nor disclose the invention as specified in claim 44, that is, displaying at least one border segment of the control region upon defining the control region; and canceling the display of the at least one border segment upon detecting that the cursor is positioned outside of the control region.

With regard to claim 35 and 62:

While Chatani discloses removing the supplemental content 5a-5d (Fig. 3) by moving the pointer away from the hyperlink (or control region), but Chatani does not, however, disclose a content modifier to change appearance of at least a portion of the separate window to indicate that the removal of the supplemental content can be triggered by detecting the cursor outside of the control region.
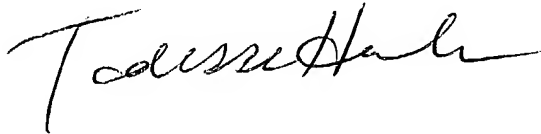
Conclusion

9.   Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 10:00 - 6:30 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (703) 308-3116 Art Unit 2173 CPK 2-4A51.

10.   Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tadesse Hailu

August 6, 2004